



Legislative Briefing

New Prosecutor Aims to Take Guns from Felons

Utah Attorney General Mark Shurtleff has assigned a prosecutor to take guns away from criminals. Assistant Attorney General Eric Petersen will help the U.S. Attorney in the Project CUFF (Criminal Use of Firearms by Felons) prosecution team. The Attorney General's goal is to help create safer neighborhoods by reducing gun violence and combat gun crime.

"The best way to stop gun violence is to stop felons from getting guns in the first place," said Petersen.

A similar program in Colorado doubled the number of individuals charged with federal firearms violations during the first year – 89% of them were convicted with an average federal prison sentence of 4.7 years.

The same initiative in Richmond, Virginia led to 500 convictions and helped reduce the city's homicide rate by 40% during the first year.

"Criminals who pack guns should plan on packing their bags for prison," said Shurtleff. The new prosecutor will focus on individuals who violate federal and state gun laws. The funding for the position comes from a federal grant secured by the Attorney General's Office.

Census Status: Mark Your Mondays

Mark Mondays on your calendar. Mike Lee, of Utah's census law firm Sidley and Austin, said that at this point in the court's session opinions are usually released on Monday mornings. On Monday, May 13th the United States Supreme Court returned from a two week recess and started to release more opinions. Four opinions were released on May 13th and four more on May 20th.

The Attorney General's Office will hear from the high court the morning of the opinion's release. Sidley and Austin will then dispatch a runner to get a copy of the decision.

Our best thanks go again to the firm of Sidley and Austin for the services they have provided to the state.

Retailers Learn About Meth

Utah retailers will soon be getting a crash course on how to stop the sale of chemicals and supplies needed to make methamphetamine.

Prosecutors from the Attorney General's Office will join substance abuse specialists and DEA agents on a statewide tour to show how common medications, household products and hardware supplies are used to manufacture drugs.

The four hour conference will be held in 11 Utah cities and offered free of charge.

Nuclear Waste

For five years a small team from the Attorney General's office has battled against P.F.S. – and a contingent of attorneys from their 200-strong D.C. law firm.

These attorneys are now forcing the Nuclear Regulatory Commission and P.F.S. to reevaluate two issues.

The first, which has implications for Hill Air Force Base, deals with potential aircraft crashes at the storage site.

The second issue addresses safety in event of an earthquake.

Without strong opposition from the State, the Nuclear Regulatory Commission would have long ago approved an unsafe facility to store 4,000 casks of high level nuclear waste on the Goshute reservation.

Gun Lockers

Utah's district court judges are challenging a new law requiring gun lockers in state courthouses. A board that represents 70 judges voted to endorse an order by 6th Judicial District Judge K. L. McIff. The order stated that says the law violates the separation of governmental powers and would create a security risk. Utah Attorney General Mark Shurtleff has asked the judges to follow the rule of law. He will be meeting with the Judicial Council next week to try and resolve the matter short of litigation.

Attorney Charged with Fraud

The Utah Attorney General's Office has filed charges against a lawyer for allegedly pocketing millions of dollars from an escrow account.

Bryan C. Robinson has been charged with four counts of unlawful dealing with property by a fiduciary, three counts of violation of trust obligation for funds collected, and eight counts of theft. Assistant Attorney General Denis Kroll is working with the Utah Insurance Department and Fraud Division on the case.

Classic Car

Some dream cars turned into a nightmare for customers at a Salt Lake City car dealership. Remember When specialized in selling old and rare automobiles on consignment.

Richard A. Nichols will be sentenced in July for fraud and racketeering after the dealership spent the money that was supposed to go to the car's former owners.

Dealership owner John Douglass and operations manager Michael Gent have already pleaded guilty to two felonies and testified against Nichols. Assistant Attorney General Colin Winchester prosecuted.

Group Home

A former group home director was charged with taking money from 12 severely disabled adults. Debbie Anderson is facing 12 counts of third-degree felony counts of exploitation of a disabled adult after an investigation into patient funds at the Bountiful West group home.

Anderson allegedly took \$37,548 for her own use. Assistant Attorney General Colin Winchester and Financial Crimes Investigative Unit Chief Ross Larsen are working with the Department of Human Services on the case.

Money for Nothing

Three Utah men were convicted for using friendship and religious affiliation to defraud others.

LaVon Broderick was ordered to jail and pay full restitution for misrepresenting and omitting information about the timeshares he sold through his company.

David Densley also was sent to jail and ordered to pay restitution for defrauding his friends about "investment opportunities."

Christopher Millsap was ordered to sell his home and other assets to pay \$520,000 he had swindled from his friends and "borrowed" from the trust account of a title company. Assistant Attorney General Charlene Barlow prosecuted all three cases.

The Attorney General's Office represents the State in thousands of cases each year. If you need information on any matter being handled by our office, please call Ryan Mecham at 538-1948 or Attorney General Mark Shurtleff at 538-1191. Thank you.

State Cleared in Suit

The Utah Supreme Court ruled the state is not responsible for a man's injuries during a 1998 avalanche in Little Cottonwood Canyon. The slide scattered seven cars and a UTA bus across the road. The court ruled the slide was a natural condition and agreed with Assistant Attorney General Brent Burnett that the government cannot be held responsible for nature. Burnett said Utah has a vast amount of state land and the ruling will offer protection from similar lawsuits.

Money to Utah

Threats of bombs and machine guns haven't stopped Assistant Attorney General Andrew Cushing from making sure that people pay their debts.

During March, Cushing sent out 17,000 letters to people who owe money to the state; he also handled another 10,000 letters involving out-of-state bills. The letters were sent so the money could be collected from the debtors' tax returns.

Cushing and state agency staffers help bring in about \$200,000 each month to public coffers. However, the collections for March, April and May are about double the usual amount.

Criminal charges have been filed against the suspect who threatened to bomb Cushing's workplace and another who promised to

Ken Starr

Ken Starr, best known for his investigation in the Whitewater scandal, came to Utah as the keynote speaker for Utah Attorney General Mark Shurtleff's Law Day Dinner.

He spoke on the conflict between courts and religion. He also took part in a public radio forum at the Hinckley Institute of Politics at the University of Utah. Starr said it was an honor to be back in Utah. He was here previously during the Olympic Games.